

E-Filed 1/14/2010

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ART GONZALES, ET AL.,
Plaintiffs,
v.
LUCILLE PACKARD CHILDREN'S
HOSPITAL, ET AL.,
Defendants.

) Case No. 5:09-CV-05539-PVT
) Judge: Hon. Jeremy Fogel
) Courtroom: #3 (5th Floor)
)
[PROPOSED] ORDER ON JOINT
STIPULATION RE TYCO
HEALTHCARE GROUP AND
COVIDIEN'S TIME TO FILE A
RESPONSIVE PLEADING TO
PLAINTIFFS' COMPLAINT FOR
DAMAGES

Good cause appearing it is hereby ordered that Tyco Healthcare LP n/k/a Covidien and Covidien, Inc.'s responsive pleading in response to Plaintiffs' Complaint for Damages shall be due February 15, 2010.

Dated: January 14, 2010

By:

The Honorable Jeremy Fogel

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 5 Park Plaza, Suite 1600, Irvine, California 92614.

On January 12, 2010 I served on the interested parties in said action the within:

**[PROPOSED] ORDER ON JOINT STIPULATION REGARDING TYCO HEALTHCARE,
GROUP AND COVIDIEN'S TIME TO FILE A RESPONSIVE PLEADING TO PLAINTIFFS'
COMPLAINT FOR DAMAGES**

by placing a true copy thereof in a sealed envelope(s) addressed as stated on the attached mailing list.

- (MAIL) I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.
- (FAX) I caused such document(s) to be served via facsimile on the interested parties at their facsimile numbers listed above. The facsimile numbers used complied with California Rules of Court, Rule 2003, and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2006(d), I caused the machine to print a report of the transmission, a copy of which is attached to the original of this declaration.
- (BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy through Shook, Hardy & Bacon L.L.P.'s electronic mail system to the e-mail address(es) as stated on the attached service list.
- (ELECTRONIC FILING) I provided the document(s) listed above electronically through the CM/ECF system pursuant to the instructions set forth in the Local Rules for the United States District Court for the Central District of California.
- (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 12, 2010, at Irvine, California.

Kim Brunton
(Type or print name)

/s/ Kim Brunton
(Signature)

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